

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,533	06/16/2000	Steven P. Meyer	10826-07	1105

33797 7590 08/18/2004

MILLER THOMPSON, LLP
20 QUEEN STREET WEST, SUITE 2500
TORONTO, ON M5H 3S1
CANADA

EXAMINER

BANANKHAH, MAJID A

ART UNIT

PAPER NUMBER

2127

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,533

Applicant(s)

MEYER ET AL.

Examiner

Majid A Banankhah

Art Unit

2127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This office action is in response to request for continued prosecution and comments, filed on June 16, 2004. Applicants argument with respect to claims 27-68 have been fully considered but are moot in view of the new ground(s) of rejection. Claims 27-73 are considered for examination.

2. Claims 28 and 68 are objected to because of the following informalities: After the amendment submitted by applicant, claims are bracketed leaving the claims with no subject matter. For the record to be clear, applicant should cancel the two claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 27, 46-47, 50 and 52 recites the limitation "the then current dynamic public IP address" in part (a). There is insufficient antecedent basis for this limitation in the aforementioned claims.

Claims 29-45, 48-49, 51, 53-67, and 69-73 are rejected because their parent claims are rejected.

Claim Rejections - 35 USC § 103

4. Following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2127

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27, 29-67, and 69-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levy (U.S.Pat. No. 6,466,981, hereinafter Levy) in view of Wang (U.S.Pat. No. 6,614,774, hereinafter Wang).

Per claim 27, a system for providing access to a personal computer having a location on the Internet defined by a dynamic IP address from a remote computer (Levy, col. 1, lns. 18-33), the system comprising:

(a) a personal computer linked to the Internet, its location on the Internet being defined by either (i) a dynamic public IP address (publicly addressable or (ii) a dynamic LAN IP address (publicly un-addressable) (col. 1, lines 18-33, corporate server provide an Internet over the LAN, Laptop computer to exchange file with a corporate cite);

(b) a locator server computer linked to the Internet (col. 2, lns. 39-48), its location on the Internet being defined by a static IP address and including a location facility for locating the personal computer (col. 2, lns. 39-67, continued on col. 3, ln. 2, access server); and

(c) a remote computer linked to the Internet (col. 1, lns. 27-33, laptop, and col. 2, lns. 39-48, access software), the remote computer including a communication facility, the communication facility being operable to create a request for communication with the personal computer (col. 2, lns. 49-63, and Fig. 2, 212, and 211), and send the request for communication to the locator server computer (col. 1, lns. 21-26, desktop computers in the corporate server, and col. 2, lns. 59 to col. 3, lns. 2);

wherein the locator server computer (locates the first computer via its dynamic IP address communication session, and thereby enables a communication session to be set

Art Unit: 2127

up between the first computer and the remote computer is operable to act as an intermediary between the personal computer and the remote computer by creating one or more communication sessions there between, said one or more communication sessions being created by the location facility in response to receipt of the request for communication with the personal computer from the remote computer by determining the then current location of the personal computer and creating a communication channel between the remote computer and the personal computer, the location facility being operable to create such communication channel whether the personal computer is linked to the Internet directly (col. 2, lns. 39 to col. 3, lns. 2, also col. 5, lns. 24-35, col. 7, lns. 49-59, and col. 8, lns. 46-63, the access software application restores the initial settings to the computer after the communication session).

The system of Levy fails to explicitly teach of the details of the data communication facility. However, Wang in the same field of endeavor teach of a data communication facility (col. 4, lns. 15-24, and lns. 65 to col. 5, lns. 24), where a dynamic IP address is assigned to a mobile terminal. Later he teaches of creating and sending a communication that includes the then current dynamic public IP address of a personal computer (col. Fig. 4, and col. 6, ln. 59 to col. 7, ln. 14, and lns. 38-60, and col. 8, lns. 17-32). Wang teaches of communication facility that create and send the current dynamic address of a personal computer (See Wang, Fig. 4, and col. 7, lns. 59 to col. 8, ln. 32, 104, contact the home network 102, and the visited DHCP 122 includes a database of the IP address registers with the visited network 104, and assigned to host names...) for the reason that the mobile terminal 128 transmit its identification information to the visited

Art Unit: 2127

network 104 and the visited network 104 communicate with the home network 102 to determine whether the mobile user 126 has authority to access the visited network 104.

Therefore, it would be desirable to include the dynamic address assignment system of Wang to the communication facility of Levy, for the reason that the personal computer communicate its current IP address with the access server and make the communication between the remote laptop and the corporate desktop available (See the example in Wang, col. 8, lns. 17-32).

Per claim 28, the claim is practically cancelled and for the record to be clear the applicant is requested to cancel the claim.

Per claim 29, the claim is rejected as claim 27 and further, wherein the personal computer is linked to a database and said system provides means for remotely accessing said database from the remote computer (Wang in col. 7, ln. 61 to col. 8, ln. 16).

Per claim 30, the claim is rejected as claim 29 and further wherein said system enables communication settings associated with the data communication facility to be set remotely for the personal computer from the remote computer (Levy, col. 4, lns. 34-45).

Per claim 31, the claim is rejected as claim 27 and further, wherein said location facility enables the current location of the personal computer to be known to the locator server computer (Levy, col. 9, lns. 14-24).

Per claims 32, the claim is rejected as claim 31 and further, wherein the location facility includes a dynamic location directory, wherein said dynamic location directory is responsive to the communication from the personal computer, including data for locating and/or communicating with the personal computer, to dynamically store such data to a

Art Unit: 2127

server database linked to the locator server computer (See Wang, col. 7, ln. 61 to col. 8, ln. 16).

Per claims 33-34, the claim is rejected as claim 32 and further, wherein the location facility is responsive to the request from the remote computer for communication with the personal computer to retrieve the current location and port number or the current communication session associated with the personal computer from the dynamic location directory, and provide said current location and port number, or the current communication session, to the personal computer (See Wang, col. 4, ln. 65 to col. 5, ln. 24).

Per claim 35, the claim is rejected as claim 34 and further, wherein said system further includes a security facility for restricting access to the locator server computer to one or more authorized users only (see Wang, col. 6, lns. 30-43).

Per claim 36, wherein said data communication facility further includes a communication interface for sending and receiving data communications (see, Levy, col. 5, Ln. 36-51, access software application including interface).

Per claim 37, see the rejection of claim 32.

Per claims 38-41, the claim is rejected as claim 27 and further, wherein said data communication facility further includes a private messaging and contact facility linked to the database for processing and managing messages and contact data in co-operation with said communication interface (see Levy, col. 8, lns. 27-45).

Per claims 42-45, the claims are rejected for the reasons stated in the rejection of claim 41 and further, wherein said messages include e-mails, facsimiles and/or voice mails, the reference of Levy while teaches of e-mail, fails to teach of facsimile and voice mail. It is

Art Unit: 2127

well known that a subscriber may send and receive data in an end-to-end packet transfer mode and, multiple point-to-point, parallel applications are possible in a packet transfer mode. For example, a mobile host like a mobile PC might run at the same time a video conference application, an e-mail application, a facsimile application, a web browsing application, etc. Therefore, it would have been obvious for one ordinary skill in the art at the time the invention was made to use facsimile and voice mail as well as e-mail, for the reason to have parallel application functionality and use the system more efficiently.

Per claims 46-47, please see the rejection of claim 27.

Per claims 49-50, and 52, please see the rejection of claim 27.

Per claim 48, the claim is rejected for the reasons stated in the rejection of claim 47 and further comprising the step of the locator server computer storing the current location of the personal computer into a directory linked to the location facility, the current location being obtained from a communication sent by the personal computer to the locator server computer (see Wang, col. 2, ln. 55 to col. 3, ln. 11, and col. 8, lns. 17-33).

Per claim 51, please see the rejection of claim 48.

Per claim 53, the claims is rejected for the reasons stated in the rejection of claim 52 and further, wherein the first personal computer is linked to the Internet directly or indirectly via an Internet gateway/proxy (Levy, teaches of Internet directly or indirectly and the proxy service in col. 9, lns. 14-24).

Per claim 54, please see the rejection of claim 29.

Per claim 55, see the rejection of claim 30.

Per claim 56, please see the rejection of claim 31.

Art Unit: 2127

Per claim 57, the claim is rejected for the reasons stated in the rejection of claim 56 and further, wherein said data communication program creates and sends the communication including the current location pr the current communication session of the personal computer to the locator server computer periodically. But, Wang teaches the updating of the IP address and broadcasting the IP addresses periodically is taught by Levy (see Levy, col. 9, lns. 14-24).

Per claim 58, see the rejection of claim 36.

Per claim 59, see the rejection of claim 37.

Per claim 60, see the rejection of claim 38.

Per claim 61, see the rejection of claim 39.

Per claim 62, see the rejection of claim 40.

Per claim 63, see the rejection of claim 41.

Per claim 64-67, see the rejection of claim 42-45.

Per claim 68, the claim is practically cancelled.

Per claim 69, the claim is rejected for the same reasons stated in the rejection of claim 27, and further, wherein once the communication channel is created between the remote computer and the personal computer, the personal computer is operable to receive and act on commands from the remote computer for remote control and/or remote access of the personal computer from the remote computer (see, Levy, col. 1, lns. 26-33, and col. 2, lns. 63-to col.3, ln. 2).

Per claims 70-71, the claim is rejected for the same reasons stated in the rejection of claim 46, and further, wherein once the communication channel is created between the remote computer and the personal computer, the personal computer is operable to receive

Art Unit: 2127

and act on commands from the remote computer for remote control and/or remote access of the personal computer from the remote computer (see, Levy, col. 1, lns. 26-33, and col. 2, lns. 63-to col.3, ln. 2).

Per claim 72-73, the claims are rejected for the reasons stated in the rejections of claims 50 and further, wherein by operation of the location facility the personal computer is operable to receive and act on commands from the remote computer for remote control and/or remote access of the personal computer from the remote computer (see, Levy, col. 1, lns. 26-33, and col. 2, lns. 63-to col.3, ln. 2).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,812,819, issued to Rodwin et al, filed Jun. 5, 1995.

U.S. Pat. No. 6,665,715, issued to Hour, filed Apr. 3, 2000.

U.S. Pat. No. 6,469,998, issued to Burgaleta Salins et al, filed Oct. 6, 1998.

U.S. Pat. No. 6,052,725, issued to McCann et al, filed Jul. 2, 1998.

U.S. Pat. No. 6,381,650, issued to Peacock, filed Mar. 10, 1997

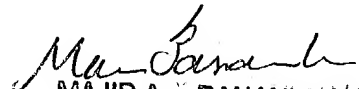
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Majid A. Banankhah** whose telephone number is (571) 272-3770. The examiner can normally be reached on Monday – Thursday, 8:00 AM – 4:00 PM.

Art Unit: 2127

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The official fax number for the organization where this application or proceeding is assigned is (571) 273-xxxx.

Maid Banankhah

5/17/04


MAJID A. BANANKHAH
PRIMARY EXAMINER